

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,
Plaintiff

v.

NEIL STRINGER and ANTHONY RIPLEY,
Defendants.

NO. CR18-157 RAJ

ORDER CONTINUING TRIAL DATE

The Court, having reviewed the Stipulated Motion to Continue Trial and Pretrial Motions Deadline and the facts and circumstances described therein, which are hereby incorporated as findings of fact, makes the following findings of fact and conclusions of law:

1. The trial in *United States v. Stringer, et al.* is set for September 4, 2018.
2. Defense counsel and the government have conferred and believe that a trial date on October 22, 2018 is appropriate. The parties further submit that the ends of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A); 18 U.S.C. § 3161(h)(7)(B)(i), (iv).

1 3. This appears to be a case requiring significant pretrial investigation and
2 preparation. The government has produced nearly 200 pages of written materials and
3 audio recordings, and expects to produce numerous videos of controlled buys. Multiple
4 searches, search warrants, and a tracking warrant were executed prior to and on the date
5 of arrest. The defendants assert that they have not yet been able to conduct substantial
6 investigation of this case or explore potential legal or factual issues for purposes of
7 pretrial motions.

8 4. Based on the above, the Court finds that the defense is entitled to additional
9 time for investigation and preparation. The additional time requested is a reasonable
10 period of delay, as the defendant has requested more time to prepare for trial, to
11 investigate the matter, to gather evidence material to the defense, and to consider possible
12 defenses and motions.

13 5. Accordingly, the Court finds that the ends of justice served by granting this
14 continuance outweigh the best interests of the public and the defendants in a speedy trial.
15 18 U.S.C. § 3161(h)(7)(A).

16 6. Proceeding to trial absent adequate time for the defense to prepare would
17 result in a miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(i).

18 7. Taking into account the exercise of due diligence, a failure to grant a
19 continuance in this case would deny counsel for the defendants the reasonable time
20 necessary for effective preparation due to counsel's need for more time to review the
21 evidence, consider possible defenses, research pretrial motions, and gather evidence
22 material to the defense, as set forth in 18 U.S.C. § 3161(h)(7)(B)(iv).

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1 Accordingly, the Court GRANTS the parties' Stipulated Motion to Continue Trial
2 Date and Pretrial Motions Deadline (Dkt. #24) and ORDERS that the trial shall be
3 continued from September 4, 2018 to October 22, 2018.

4 IT IS FURTHER ORDERED that the resulting period of delay from the date of
5 this order, up to and including the new trial date of October 22, 2018, is hereby excluded
6 for speedy trial purposes under 18 U.S.C. § 3161(h)(7)(A) and (B).

7 IT IS FURTHER ORDERED that all pretrial motions, including motions in
8 limine, shall be filed no later than September 13, 2018.

9 DATED this 31st day of July 2018.

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12 The Honorable Richard A. Jones
13 United States District Judge
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